

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION**

**WILLIAM ROBERTS WILSON, JR.; ALWYN
H. LUCKEY and WILLIAM ROBERTS PA, William
Roberts Wilson, P.A., Professional Corporation**

PLAINTIFFS

VS.

CIVIL ACTION NO. 3:02CV525LN

**RICHARD F. SCRUGGS, P.A.; SCRUGGS,
MILLETTE, LAWSON, BOZEMAN AND DENT, P.A.,
Professional Corporation; ASBESTOS GROUP, P.A.,
Professional Corporation and RICHARD F. SCRUGGS,
Richard F. Scruggs, P.A., Professional Corporation**

DEFENDANTS

ORDER

This matter is before the court upon a review of the docket, which revealed a Motion to Strike that was filed on April 12, 2005, and remains pending. The Plaintiffs have not responded to the Motion, which seeks to strike a pleading captioned “Wilson’s Notice of Filing of Accounting Resulting from Audit of Defendants’ Books.” The basis of the Motion is the contention that the document was not an “accounting” in any legal sense and is nothing more than a letter from an accountant to Wilson’s former counsel. In light of these arguments, which have not been rebutted by the Plaintiff, the court is of the opinion that the Motion should be granted.

IT IS, THEREFORE, ORDERED that the Motion to Strike Wilson’s Notice of Filing of Accounting Resulting from Audit of Defendants’ Books is hereby **granted**.

IT IS SO ORDERED, this the 23rd day of January, 2006.

s/Alfred G. Nicols, Jr.
UNITED STATES MAGISTRATE JUDGE